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TEN CENTS A WEEK

ED SHERIFF BRAVELY HEARS COURT'S SENTENCE

er Tennessee Official Declared in Contempt of Supreme Court Must Serve 90 Days.

WASHINGTON, D. C., Nov. 16.—The first time in American history that men were in prison last for contempt of the Supreme of the United States. For the time, too, the Federal govern- has placed men behind the bars outcome of the lynching of a

the United States fall in this Capt. Joseph F. Shipp, former at Chattanooga, Tenn.; Jere- Gibson, his jailer, and Luther, Nick Nolan, Henry Padgett William Mayers of the same city, day afternoon began serving of imprisonment imposed a few before by the Supreme Court United States.

and Gibson had been found of failing to protect from a Johnson, whose legal execu- for rape had been stayed by Supreme Court until it could re- the case. The others had been guilty of participation in the of a Federal prisoner. Williams and Nolan were giv- sentences of ninety days' imprison- each, while Gibson, Padgett and each received sixty days.

the big barred doors of the jail open to receive the prisoners, immediately after sentence had been read, Warden McKee stood before at least we are in the hands of a," exclaimed Capt. Shipp, who been in many a fight for the Con- as he espied a G. A. R. but- on the lapel of Warden McKee's. Then turning to his five prisoners he said:

"Boys, it will be all right." Warden McKee has inaugurated mode of punishment at the jail as lenient as the various classes prisoners will allow and he was for the reception of the six from Tennessee.

about a year ago, during the im- ment of an unusually large num- of women, the warden had fitted a storeroom on the fourth floor of jail and quarters for female pris- on. It was in this large room, per- by twenty by thirty-five feet, that locked the six prisoners.

The Tennesseans in Jail.

In the room were beds for each of prisoners, while at one end was able upon which "trusties" set their three times a day. A bath adjoining the room, will be used by the prisoners exclusively. Four circular windows open to the and west, giving excellent of the front of the buildings.

fact so pleasant did the prison- had the quarters that Shipp sent attorney, Major Clift, to the office the Supreme Court to withdraw a that he had made when sent- was imposed to be sent to the prison at Atlanta, instead of jail in this city.

during the afternoon the six men called calls from Tennesseans and men. Sitting on his straw bed, half on his pillow of straw, Shipp made this statement:

"We are very well pleased with the ment given us by Warden Mc- and are delighted with the quar- assigned us."

A few hours in jail made Gibson content. He told his companions that this was not the first time that had been in prison in Washington.

"The other time I was brought as a Confederate prisoner," he said.

history of the Supreme Court of the United States that that august body had imposed a sentence upon citizens, held guilty of disregarding its man- dates. The previous occasion was in another generation.

Heading the little group of six men, found guilty of contempt, as they took their places before the black- robed justices, was Capt. Shipp, the sheriff in Chattanooga, Tenn., when he offended the court. His tall, straight figure, his seamed face and his gray-streaked beard, told of his long service in the army of the Con- federacy.

Bowed down under his 76 years, Jeremiah Gibson, the jailer, stood with him. With bedimed eyes he looked upon the long white locks of the chief justice, himself 76 years of age, who would soon pronounce sentence upon him, and send him to prison. He and Capt. Shipp had been found guilty of failing to protect a negro, waiting to be hanged on a charge of a heinous crime against a white woman, after the Supreme Court of the United States had stayed his execution.

Shipp Brave in Court.

The contempt case was taken up yesterday as soon as the justices took their places in the court room. Solicitor Bowers of the Department of Justice, upon receiving a nod of recognition from Chief Justice Fuller, called the attention of the court to the fact that the defendants were in court in response to its order and suggested that the court impose sentence.

The chief justice directed Chief Clerk McKenney to call the defend- ants before the bar. As the names of the six men, the sheriff, the jailer, the four men charged with having been members of the mob that took Johnson's life, rang through the lit- tle court room a stillness as of death settled over all. From each defend- ant came the solitary word "present." They then stood up for sentence.

Chief Justice Fuller then read the sentences.

Sheriff Shipp took the sentence more calmly than the others. After the chief justice had concluded he walked over to Marshal Wright and asked him where this officer of the court wanted him to go.

Tears came to Padgett's eyes and he used his handkerchief freely. Williams sat down as if exhausted when Attorney Chamlee asked that his client be sent to Atlanta. He remain- ed sitting until Attorneys Clift and Shepperd made similar requests for the other defendants. The marshal of the court deputized the marshal of the District of Columbia to take the men to jail.

Four Held as Lynchers.

Luther Williams, Nick Nolan, Hen- ry Padgett and William Mayes, resi- dents of Chattanooga, found guilty of participation in the lynching of Ed Johnson, formed the rest of the group. Before them all sat the offi- cials of the Department of Justice. Around them in the little court room were their attorneys and other law- yers, while the three rows of seats for spectators were crowded.

The proceedings were practically without precedent. In 1875 John Chiles, a business man of Texas, was brought before the court for contempt in connection with dealings in Texas indemnity bonds, contrary to an or- der of the Supreme Court. He was fined \$250. But that instance lack- ed the interest of the case yesterday. In it was involved no race question, no lynching, no interference with

HAD A BIG TRIP.

Two Gainesville People Enjoy Hos- pitality of LaFayette Friends.

Mr. and Mrs. A. L. Jackson have returned from a two weeks' outing spent with McQueen and T. P. Chaires and families, and Mrs. Green Chaires, of Old Town, LaFayette county.

One week of their time was spent at Horse Shoe bay, on the Gulf Coast, where fish, oysters, and small game, such as duck, quail and squirrel, were kept constantly in camp in abund- ance.

At the end of the week the party moved camp to a point fifteen or twenty miles, where plenty of deer and bear abound. They were there in plenty, but the bear appeared too sharp for the hunters, and a poor old faithful hound was the only member of the party to come in contact with Bruin.

Four very fine deer were killed, one by T. P. Chaires, which Mr. Jackson declared was the largest he ever saw. Mr. Jackson, by persistent begging, got the horns of this buck, of which he is justly proud, on account of their unusual size.

Each of the gentlemen in the party got a fine buck to their credit, and Mrs. Jackson would have gotten one had it not been for her horse becoming frightened at the approaching deer, when it came near throwing her.

Mr. and Mrs. Jackson speak in glowing terms of the hospitality ex- tended them at the hands of friends, of whom they were guests.

OFF FOR A CRUISE.

Commodore Beale, Dr. Herzog and E. E. Voyle to Take a Trip.

A jolly trio consisting of Commo- dore R. W. Beale, Uniontown, Pa., and Dr. H. Herzog and E. E. Voyle of this city, left a day or two ago for St. Augustine, from whence they will take a most interesting cruise, which it is needless to add will prove an enjoyable and beneficial one.

These gentlemen expect to take a thirty-foot motor launch, eight-horse- power, at St. Augustine, and will cruise leisurely along the Atlantic coast around Cape Sable, into the Gulf and up the coast to Cedar Key, stopping at intervals at their own pleasure.

This trip promises to prove of a rather unique interest, inasmuch as the occupants of the launch propose to take life easy, at the same time braving weather conditions. They are well prepared for such a cruise, however, being equipped with every- thing possible for comfort. They ex- pect to return to Gainesville about Christmas, when they will probably have some remarkable stories in store for their friends.

State jurisdiction; only the majesty of the law as interpreted by the high- est court of the land.

The present case originated in the court's decision in March, 1906, to consider the appeal of Johnson from a verdict of the Tennessee courts holding him guilty and sentencing him to be hanged on a charge of as- sault. The night after the determina- tion of the Supreme Court to review the proceedings was wired to Chat- ta-nooga, a mob stormed the jail, took the prisoner out and lynched him.

Story of the Case.

The court was much incensed by the lynching and at its instance the Attorney-General instituted proceed- ings against Sheriff Shipp, Jailer Gib- son and twenty-five others supposed to have been implicated in the lynch- ing, charging them with contempt. Many of the accused were exonerated and in the end only six were found guilty.

The finding of the court was an- nounced in May, just before the close of the term of court, but all the de- fendants entered motions of rehear- ing, which had the effect of postpon- ing action until this fall. On Novem- ber 1 rehearing was denied and the six men ordered before the court for sentence yesterday.

MINE HORROR MADE 200 WIDOWS, 1,000 ORPHANS

Fire Breaks Out Again in Fatal Colliery and Hope Is Abandoned for Mine Victims.

CHERRY, Ill., Nov. 16.—The three hundred or more miners who were en- tombed in the St. Paul coal mine by last Saturday's fire, are dead. Some of the bodies lie buried beneath thousands of tons of earth which caved in upon them and it is doubtful whether many of the bodies can ever be recovered.

This was the opinion expressed last night when rescue work was temporarily abandoned. Fires in the mine, which broke out with renewed fierceness early yesterday, made fur- ther descends by rescuers impossible.

Fans employed in an effort to carry fresh air and life down to the im- prisoned men served only to enliven embers which sprang into flames. Soon the heat and smoke became so dense that it was necessary again to seal the mouth of the hoisting shaft and the men down there, whatever their condition, are locked in as ef- fectively as in a dungeon.

300 Coffins Ordered.

Whether attempts to take out the bodies will be made today depends on the condition of the internal fires. It is possible that carbonic acid gas will be forced to the bottom of the mine to choke the flames. It was said last night that three hundred coffins have been ordered. Half of them will arrive today and half the following day. Meantime the several score of nurses who were rushed here look forward to no prospect of heroic work in reviving injured men. It is believed that no one will be brought out of the mine alive.

Hope swung frequently in the bal- ance yesterday. Before the fire broke out again, rescuers descended four times into the shaft. Then the rumor circulated quickly through the crowds that the men below had been reached and that the reason they were not brought up immediately was that they

were exhausted by lack of food, and the smoke.

1,000 Orphans, 200 Widows.

But the truth was far different. The rescuers did, on one occasion, go down three hundred feet to the bottom of the hoisting shaft. Then groping their way with electric lamps and kept alive by oxygen carried with them, they penetrated 150 feet into the bottom gallery. But none of the miners, either dead or alive, was found.

"Hey, are you there?" cried the rescuers, but nothing was heard, in response.

It was conjectured the miners had crawled for safety into the recesses remotest from the fire, but to these parts the rescuers were unable to go without re-ascending. Before they could descend again the fire had broken out. Gradually the crowd about the mouth of the shaft began to thin as hope seemed to wane.

The spectacle about the mouth of the wrecked mine at dusk was pa- thetic. A tall skeleton framework of iron reaching skyward, surrounded by a group of low wooden buildings, which a few days ago had been the scene of industry, suggested by their desolation that hope had been abandoned. Only a half dozen guards patrolled the premises. In the dis- tance, scattered over the field, a few women, wrapped in shawls, looked on in silence.

As a result of the disaster there are in this town of only a few hundred inhabitants at least 1,000 orphans and 200 widows. These are the figures of Dundan McDonald, president of District No. 21, United Mine Workers, who instituted a rollcall of the fam- lies of the entombed miners.

Start of Rescue Work.

President Earling of the Chicago,

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Court of Appeals Denies Stay in the Gompers Case

TORONTO, Nov. 16.—Just as the convention of the American Federa- tion of Labor was about to adjourn for the day a telegram was received from Washington announcing that the stay asked for by the attorneys for President Gompers, Vice-President Mitchell and Secretary Morrison, in the proceedings against them for con- tempt of court, had been denied by the court of appeals of the District of Columbia. President Gompers was plainly surprised and as he read the message to the convention the dele- gates sat in silence as though dazed by the court's action.

"That means that the resources of the lawyers have been exhausted, doesn't it?" asked one of the dele- gates.

"The chair is not in a position to state," replied President Gompers. Then as he read the message stating the mandate goes down Saturday morning, the faces of himself and his fellow officers betrayed the an- xiety under which they were laboring.

A telegram signed by the three defendants was at once dispatched to their counsel in Washington ask- ing when it would be necessary for them to put in an appearance to avoid forfeiting their bail bonds, which amount to \$12,000, and stating that

they would like to remain in To- ronto until the close of the conven- tion Saturday evening.

"I am not certain whether under the laws of the District of Columbia we can appeal," said Mr. Gompers after adjournment. "But if we do go, the convention must stay here and carry on its proceedings in a dignified and orderly manner."

"We'll charter a train and all go down with you," volunteered one of the delegates. "And even the seced- ers will join you," added J. J. Reid, president of the seceding faction of the Electrical Workers.

The suggestion that the convention be adjourned to Washington in the event of the departure of Gompers, Mitchell and Morrison, was taken seriously by many of the delegates and it was said a resolution to that effect might be prepared.

Pending the receipt of a reply from Washington the executive coun- cil held a long session last night at which plans for meeting the situation which confronts the three laborers were discussed.

Many of the delegates have expressed disapproval of the plan suggested by the Central Labor Union of Phila- delphia that a two weeks' general strike be ordered as a protest against the contempt imprisonments.